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FAX Transmission Sheet

January 5, 2005

To: Examiner Thomas M. Dougherty Fax No. (703) 872-9306
 From: Stephen P. Burr Fax No. (315) 233-8320
 Re: In re the Application of: Mutsumi KITAGAWA and Koji KIMURA
 Serial No.: 10/601,125 Art Unit: 2834
 Date Filed: June 20, 2003 Conf. No. 6000
 Title: PIEZOELECTRIC/ELECTROSTRRICTIVE FILM TYPE DEVICE AND
 MANUFACTURING METHOD THEREOF

Our Docket No.: 791_225

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COMMENTS:

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	<u>Paper</u>	<u># of Pages</u>
1. Response to Restriction Requirement	2	
Total Pages (including cover page)		3

Elizabeth A. VanAntwerp
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Practitioner's Docket No.: 791_225

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mutsumi KITAGAWA and Koji KIMURA

Ser. No.: 10/601,125

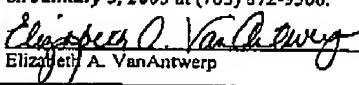
Art Unit: 2834

Filed: June 20, 2003

Examiner: Thomas M. Dougherty

Confirmation No.: 6000

For: PIEZOELECTRIC/ELECTROSTRRICTIVE FILM TYPE DEVICE AND
MANUFACTURING METHOD THEREOFCommissioner for Patents
P.O. Box 1450
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I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2005 at (703) 872-9306.	
 Elizabeth A. VanAntwerp	

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed December 16, 2004, Applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-9) in this application.

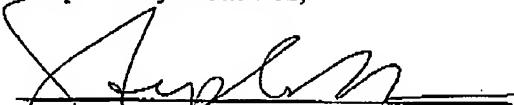
However, Applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 12 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that “[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,


Stephen P. Burr
Reg. No. 32,970

SPB/eav

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